

ALEXANDER BOYD.

JANUARY 6, 1832.

Mr. CARR, from the Committee on Private Land Claims, made the following

REPORT:

*The Committee on Private Land Claims, to which were referred the documents and accompanying testimony of the heirs of Alexander Boyd, deceased, to 300 arpens of land situated on the river Amite, in the State of Louisiana, report:*

That it appears that said tract of land was regularly surveyed for Alexander Boyd, on the 29th August, 1799, by Carlos Trudeau, Royal Surveyor of the Province of Louisiana, and, as he states, in virtue of an order from Don Carlos de Grand Pré, Governor of the District, under date of the 6th November, 1798.

On the 24th March, 1804, the ancestor of claimants obtained a regular patent for said land from Don Juan Ventura Morales, Intendant of the Province of West Florida, in which he declares that the same had been surveyed by Trudeau, and that it had been *granted* to the claimant by Manuel Gayoso de Lemos, Governor of the Provinces, on the 31st October, 1798.

The first section of the act of Congress of the 3d March, 1819, recognises all complete grants as valid, made by the Spanish Government prior to the 20th December, 1803, being the period of the delivery of Louisiana by France to the United States. The question then is, whether such complete grant in favor of said Boyd, for the land now claimed, did exist prior to that date?

The customary mode of obtaining land from the Spanish Government, was by petitioning the Governor of the district or post, specifying the land, and quantity prayed for. This petition, accompanied with such remarks as he might think proper to make, was forwarded by him or petitioner to the Governor of the Provinces, who made an order, directing the land to be surveyed, and, if found to be vacant, &c. that the prayer of the petitioner be granted.

The survey, in this case, having been made in 1799, by order of the Governor of the district, together with the practice and usage of the Province, that required a previous grant or order from the Intendant of the Provinces, added to the declaration of Morales, who succeeded De Lemos as Intendant, that the said land had not only been surveyed by the Royal Surveyor, but *granted* by his predecessors on the 31st October, 1798, induces your com-

mittee to come to a conclusion favorable to the claimants. Your committee are, however, of opinion, that no power existed in the Government of Spain, after the 20th December, 1803, to make any valid disposition of the public domain in the territory in which this claim is situated, the same having been conveyed by the treaty of the 30th of April, 1803, to the United States, as a part of Louisiana.

Your committee, though not perfectly satisfied with the testimony to show the existence of a grant previous to the 20th December, 1803, for the land claimed; yet, considering the strong presumption of the fact, raised by the evidence and circumstances of the case, the small quantity of land claimed, and the antiquity of the origin of title, recommend its confirmation, and report a bill.

## REPORT

The committee on Public Land Claims, to which was referred the petition of Don Carlos de Cevallos, for a grant of land in the Territory of Louisiana, and a bill to confirm the same, have the honor to report, that they have examined the same, and find that the same is entitled to be confirmed.

That a petition was presented to the committee on the 10th of March, 1864, by Don Carlos de Cevallos, for a grant of land in the Territory of Louisiana, and a bill to confirm the same, was introduced on the 10th of March, 1864, and referred to the committee on Public Land Claims, to which it was referred on the 10th of March, 1864.

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